REMARKS

This patent application was filed with claims 1 through 19. Claims 1 through 3, 5 through 10 and 12 through 18 have been rejected. Objections have been raised against claims 4, 11, and 19. In response to the Office Action, Applicant has cancelled claims 1 through 3 and 9 through 19. In addition, Applicant has added new claims 20 through 30.

Claims 1 through 3, 5 through 10 and 12 through 18 stand rejected under 35 USC §103(a) as being unpatentable over United States patent application publication number 2004/203672 in view of United States patent application publication number 2002/032042 or United States patent application publication number 2005/080606, or United States Patent 7,092,799. Applicant respectfully traverses these rejections.

As is set forth above, claims 1 through 3 and 9-19 have been cancelled. The cancellation of these claims is without disclaimer of the subject matter thereof and without prejudice to Applicants' right to later submit in this or another application one or more claims covering the subject matter thereof.

Claim 4 has been rewritten into independent form by incorporating all of the limitations of claim 1, a form which the Examiner has stated would place it in condition for allowance. This has been done without narrowing the scope of the claim in any respect. Claims 5 and 7 have been amended such that each of the claims 5-8 now ultimately depend from claim 4. Therefore, it is respectfully submitted that claims 4-8 are now in condition for allowance.

Claims 20 through 30 have been added. These claims do not add new matter. These claims have been added to cover subject matter that is taught by Applicants in the specification and that patentably defines over the prior art of record. Independent claim 20 is directed to a method for establishing communication between a call center and a vehicle through an IP network. The method includes the steps of obtaining an IP address, initiating a telephone call to the vehicle to provide it with the IP address, terminating the call, and then initiating a packet data connection from the vehicle to the call center using the IP address after the telephone call is terminated.

None of the references known to Applicant or cited by the Examiner teaches or suggests this combination of steps including the use of a telephone call to provide an IP address to the vehicle which is then subsequently used to establish a packet data connection with a call center. The primary reference to Crocker relied upon by the Examiner in the

Office Action teaches the use of a caller identification number of a call to a vehicle to determine and carry out a vehicle service function. There is nothing in the Crocker reference that teaches or suggests the limitations of claim 20 noted above. Nor does Poplawsky or the other prior art of record make up for those deficiencies. Poplawsky is directed to integration of a wireless communication device, such as a handheld cellular phone, into a vehicle using a docketing station. The subject matter noted by the Examiner from Poplawsky in paragraphs 57 and 58 relate to pass through of communications to various subsystems of the vehicle when only a single IP address of the vehicle is used, and these excerpts identify only that the remote site sends a communication packet to the vehicle using the vehicle's IP address. That is the conventional way in which an IP communication is carried out with a vehicle – the computer seeking to request communication with the vehicle already has the vehicle's IP address and uses that to identify where its packet data communication is to be delivered. This is not the approach being recited in claim 20. Rather, in claim 20 to establish a connection with the vehicle over an IP network, the vehicle is first given an IP address of another device (e.g., a server) during a first telephone call, and then the vehicle initiates communication with the device using the device's IP address over a packet data connection. Neither Poplawsky nor the other prior art cited by the Examiner discloses this approach.

Similarly, independent claims 25 and 30 recite subject matter that is neither taught nor suggested by the prior art of record. In claim 25, the method includes using a preliminary communication to send an IP address of a server to a vehicle telematics unit, following which the telematics unit establishes a primary communication from the vehicle to the server as a packet data connection. In claim 30, a server IP address is provided to a mobile terminal (e.g., a vehicle telematics unit), and this is done via a telephone call to the mobile terminal over a wireless communication system (e.g., a cellular network). Then, a packet data connection is initiated from the mobile terminal to the server, wherein the mobile terminal has an assigned dynamic IP address (which the server may not know) and connects to the server using the IP address of the server. These features of claims 25 and 30 are not disclosed or rendered obvious by the prior art of record.

Conclusion

In view of the foregoing, Applicants respectfully submit that all claims are allowable over the prior art. Reconsideration is therefore requested. The Examiner is invited to telephone the undersigned if doing so would advance prosecution of this case.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0960 for any required fees, or to credit that same deposit account with any overpayment associated with this communication.

Respectfully submitted,

REISING, ETHINGTON, BARNES, KISSELLE, P.C.

/James D. Stevens/

James D. Stevens
Registration No. 35,691
P.O. Box 4390
Troy, Michigan 48099
(248) 689-3500

Date: August 30, 2007
JDS/DJS